

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARREN R. GENTILQUORE,	:
Plaintiff	:
v.	: Case No. 3:11-cv-257-KRG-KAP
CORRECTIONS OFFICER SMEAL,	:
<u>et al.</u> ,	:
Defendants	:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on August 11, 2014, docket no. 84, recommending that plaintiff's motion for summary judgment, docket no. 68, be denied and that the motions for summary judgment of the defendants, docket no. 69, be granted in part and denied in part.

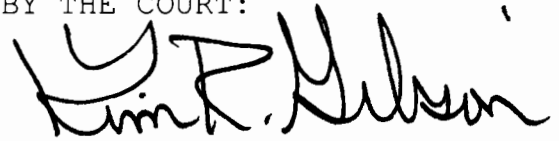
The parties were notified, pursuant to 28 U.S.C. § 636(b)(1), that they had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed timely objections, docket no. 86, that I have reviewed and find meritless.

After de novo review of the record, the Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 30th day of September, 2014, it is

ORDERED that the plaintiff's motion for summary judgment, docket no. 68, is denied, and the defendants' motion for summary judgment, docket no. 69, is granted as to defendants Passanita and Smeal and denied as to defendant Thal. The Report and Recommendation is adopted as the opinion of the Court. The matter remains with the Magistrate Judge for any remaining pretrial proceedings.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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